

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 07-12371
Non-Argument Calendar

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT November 8, 2007 THOMAS K. KAHN CLERK

D. C. Docket No. 04-03285-CV-RLV-1

DEREK CLINTON DENTON,

Plaintiff-Appellant,

versus

UNITED STATES OF AMERICA,
JENELLE FOOTE, M.D.,
MIDTOWN UROLOGY, P.C.,
D. ABERNATHY, M.D.,
TENET HEALTHSYSTEM GB, INC.,
doing business as Atlanta Medical Center,

Defendants-Appellees,

JOHN YOST,
Assistant Warden,
RON WILEY,
Warden, et al.,

Defendants.

Appeal from the United States District Court
for the Northern District of Georgia

(November 8, 2007)

Before TJOFLAT, CARNES and BARKETT, Circuit Judges.

PER CURIAM:

In this appeal, appellant raises three issues:

1. Whether the district court committed clear error in finding that the plaintiff's attempted service on defendants Carbonell and Negrón was insufficient;
2. Whether the court abused its discretion in denying plaintiff's out-of-time request for extension of time properly to effect service on those defendants; and
3. Whether the court erred in ruling that plaintiff's claim against defendant Goldstein was time-barred and, in so ruling, misapplied Federal Rule of Civil Procedure 15(c) to determine whether the claim related back to the date plaintiff's initial complaint was filed.

We agree with the court's disposition of the first and second issues for the reasons stated in its order of December 21, 2006. We agree with the court's disposition of the third issue for the reasons stated in its order of August 8, 2006.

AFFIRMED.